

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

_____)	
CLIFF THOMAS,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 16-1581 (AJT/MSN)
)	
RAYMOND ROBERTS, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

JOINT DISCOVERY PLAN

Pursuant to the Court's February 8, 2017 order, plaintiff Cliff Thomas and defendants Raymond Roberts, *et al.* submit their joint discovery plan.

On February 21, 2017, the undersigned counsel conferred regarding the claims, defenses, possibilities of a prompt settlement or resolution of the case, trial before a magistrate judge, the disclosures required by Rule 26(a)(1), and a discovery plan. Counsel agreed on these matters:

1. **Initial Disclosures.** The parties agree that initial disclosures will be subsumed in responses to discovery requests and need not be served in this action.

2. **Amendments/Joinder.** The parties agree that the deadline for joining additional parties and for amendment of pleadings is April 3, 2017.

3. **Consent to Magistrate Judge.** At this time, the parties do not agree to the assignment of this case to a magistrate judge.

4. **Settlement Possibilities.** The parties have initiated settlement discussions and expect those discussions to continue.

5. **Discovery cut-off.** As set forth in the February 8, 2017 order, discovery must be completed by June 9, 2017.

6. **Expert Disclosures.** The parties agree to exchange expert witness reports and information pursuant to Rule 26(a)(2) as follows:

- Plaintiff's (or proponent's) expert witness report(s) together with all information required by Rule 26 are due April 14, 2017.
- Defendant's (or proponent's) expert witness report(s) together with all information required by Rule 26 are due May 12, 2017.
- Any rebuttal report is due May 26, 2017.

7. **Preservation of Discoverable Information.** Counsel represent that they have made their respective clients aware of their obligations regarding preservation of discoverable information.

8. **Electronically-Stored Information.** The parties recognize their obligation, pursuant to the Federal Rules of Civil Procedure, to preserve and produce, if requested in discovery, all relevant, non-privileged documentation, including electronically-stored information. Counsel have agreed to work cooperatively to resolve any issues concerning the disclosure or discovery of electronically-stored information.

9. **Protective Order.** The parties contemplate submitting to the Court an agreed-upon protective order.

10. **Final Pre-trial Conference.** As set forth in the February 8, 2017 order, the final pre-trial conference will be held on June 15, 2017 at 10:00 a.m.

11. **Objections.** Objections to trial exhibits and witnesses are due June 26, 2017.

12. Electronic Service of Documents. The parties agree that discovery requests or other papers not served via ECF may be served on counsel of record by means of email provided that all exhibits and attachments to same are included. The email addresses for counsel for defendant and counsel for plaintiff are those set forth below.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of February, 2017, a copy of the foregoing was served by electronic mail using the CM/ECF system, which will then send notification of such filing to all counsel of record.

/s/ Charles B. Wayne

Charles B. Wayne